

## E. Public Information Materials

<b>Objective:</b>	Public information materials increase public access to information about the justice system, and its procedures and services. The release of this information serves to break down barriers and demystify the courts.
<b>Potential Audience:</b>	All customers of the court.
<b>Format:</b>	Multiple sources of readily available, reliable information about public justice and how to obtain it may include: brochures, booklets, videos, posters, annual reports, Web sites. ☆ Consider community demographics for producing these materials in English, Spanish, Vietnamese, and other languages. ☆
<b>Content:</b>	Suggested topics may include traffic matters, small claims, restraining orders, unlawful detainers, jury duty, family law, guardianship, parents' guide to kids in court, court records, enforcement of judgment, and mental health issues.
<b>Getting the Word Out:</b>	Display materials at key locations in the courthouse, at libraries and schools, and distribute to organizations interested in specific topics. Printed materials also can be included in jury summonses and other mailings. Make use of the Internet, cable television, and public service announcements on television and radio.
<b>Evaluation:</b>	Before producing materials in large quantities, ask a focus group of volunteers to review the copy and visuals to determine clarity of information and appeal of graphics and photographs. Use an evaluation form to determine if reviewers are able to identify the main messages and if the material captures and holds their attention.



## WHAT WORKS

Public information materials take the mystery out of how to get things done in the justice system. They describe the services available at the local courthouse and they educate customers on court policies and procedures. Following is a brief summary of the information contained in **“Public Information Programs for Courts”** produced by the **National Association for Court Management**. The National Association for Court Management has produced a similar guide called **“Developing Comprehensive Public Information Programs for Courts.”** (For information on either publication, contact the National Association for Court Management at 804-259-1841.)

A citizens’ guide to the court is one way to provide visitors with the “who, what, when, and where” information. Keep the language simple and the amount of copy to a minimum. Include information such as names of courts, types of cases connected to each court location, and contacts; maps and parking information; courtroom staff; stages in a case; glossary of terms; and Americans with Disabilities access.

Informational brochures that are colorful, small enough to fit in a pocket, and well written in direct, clear language can be very useful in educating the public about departments, functions, and services of the courts. Such brochures should be written at about a fifth-grade level, designed for multipurpose use. The court can distribute these brochures to school children, civic groups, courthouse tour groups, or visiting dignitaries.

Other channels of communication include: a contact person who assists with answering questions and directing people to the right courthouse locations; a telephone hotline; and a triage system where people go to be directed to the proper resources. As with printed materials, these services should be available in English and other languages appropriate to the demographics of the community.

**The Portage County (Ohio) Municipal Court User-Friendly Court Project** was launched in 1991 to provide a public information program to help people become more informed about the court system and feel less intimidated by it.

To fill an information gap between the courts and the public, a series of 24 pamphlets on court procedures was produced. These pamphlets, written in everyday language, explain the step-by-step process of all court appearances and interpret some of the legal language that is used in court and court documents.



They were originally published for Portage County, but generic versions were subsequently designed for and distributed to counties around the state for adapting to local information.

The court also produced a series of public service videos warning the public that, as the result of a new law, drivers' licenses may be suspended for failure to pay court fines. Other videos describe the state's DUI (driving under the influence) law.

In addition to these projects, the court has taken simple steps to make itself user-friendly. For example, magazine racks and vending machines have been placed in public areas for people who are waiting to go into court. Understandable signs explain court costs, where offices are, where people are, whom to see, where to wait, and so on.

A seminar for court clerks around the state, sponsored by the Portage County Court, called **"Dealing with Personalities"** helped train clerks to be understanding, pleasant, and helpful to the public. "We believe it is possible to lessen the trauma usually experienced by those who appear in court," says Lorraine Kardos, project director. "All it takes is a little vision and commitment on the part of the court employees." (Contact: Lorraine Karpos, 330-678-9100) (See Section 2, *Dialogue – Communicating with the Community* for more information on customer service programs.)

The **Superior Court of California, County of Ventura** has promoted similar initiatives. The court has developed pamphlets to explain common court procedures from small claims to viewing court files. Some of these pamphlets, as well as those from other courts, are produced in the following *Sample Brochures* section and are found on the Ventura court Web site at [www.ventura.org/courts/crtsintr](http://www.ventura.org/courts/crtsintr).

The **Superior Court of California, County of Alameda** answers commonly asked questions on its Web site, [www.co.alameda.ca.us/courts/alameda/index](http://www.co.alameda.ca.us/courts/alameda/index). For a comprehensive list of Web site addresses of California courts, visit [www.courtinfo.ca.gov/otherwebsites](http://www.courtinfo.ca.gov/otherwebsites). The Alameda courts also use the "Local Talk Telephone" directory, found in the Alameda Yellow Pages, to provide information to the public on the entire court structure. Entirely administered by the telephone company for a reasonable cost, the courts simply provide the annually revised scripts to the phone company. Between July 1996 and July 1997, 14,202 calls were logged.



## **Sample Brochures**

### **Children's Waiting Room**

Source: Superior Court of California, County of Ventura

### **Courthouse Services**

Source: Superior Court of California, County of Ventura

### **Interpreting Services**

Source: Superior Court of California, County of Ventura

### **Traffic Citations**

Source: Superior Court of California, County of Ventura

### **Teen Court**

Source: Superior Court of California, County of Ventura

### **Speakers Bureau**

Source: Superior Court of California, County of Ventura

### **Taking the Courthouse to the Schoolroom**

Source: Superior Court of California, County of Ventura

### **Let's Visit the Courthouse**

Source: Los Angeles Municipal Court

### **What I Should Know About Small Claims**

Source: Los Angeles Municipal Court

### **What I Should Know About Unlawful Detainers**

Source: Los Angeles Municipal Court

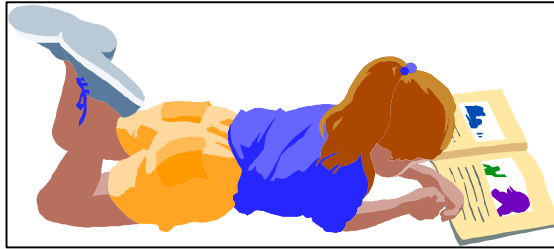
### **Meet Your Los Angeles Superior Court Judges**

Source: Los Angeles Superior Court



**Children's Waiting Room**  
**Superior Court of California, County of Ventura**

## *Children's Waiting Room*



The Children's Waiting Room is a drop-in service designed to provide a supervised environment in which parents may leave their children while conducting business with the courts. It provides parents peace of mind by allowing them to quickly complete their business while placing their children in a safe and nonstressful place to play.

Children must be at least 2 1/2 years old and toilet trained. Parents may not leave the courthouse for any reason without first picking up their children. A maximum of eight children will be allowed in the Children's Waiting Room at one time. When the waiting room is at capacity, no further children will be accepted until space becomes available. Children must be picked up by their parent or an authorized responsible adult identified at the time of drop-off. As space is limited, children should be picked up as soon as possible to assure that space is available for others who need it.

This service is provided by the courts at no charge and is supported by volunteers and donations. The Children's Waiting Room is open 8:30 a.m. to 12:00 pm, and 1:15 to 4:30 pm.

To learn more about our Children's Waiting Room, volunteer or donate your services, call (805) 654-2963.





## **Ventura County Courts Court Services**

The Municipal Court is an integral part of the administration of justice. The court processes all traffic violations originating from local police departments, sheriff, highway patrol, and various other state and district enforcement agencies. Municipal court processes all filings involving small claims wherein the jurisdiction does not exceed \$5,000.00, and civil process involving suits not exceeding \$25,000.00. The court processes misdemeanor criminal offenses, infractions (including juvenile traffic), and has jurisdiction over felony preliminary hearings.

### **Address and Hours of Operation:**

3855-F Alamo Street  
Simi Valley, CA 933063  
Monday through Friday  
8:00 a.m. to 5:00 p.m.  
(Except holidays)

### **Filing Requirements**

All documents must be on recycled 8.5 X 11 numbered-line paper (28 lines). Punched holes at top are required; manuscript covers are not. Documents can be folded. It is not required to put the word "original" on all original documents and the word

"copy" on all copies of documents, but it would be appreciated. All text should be double-spaced, except for citations, quotations, footnotes and real property descriptions. All documents filed by attorneys need the attorney's California Bar Number on them.

- **Copies:** File the original only of all documents.
- For emergency filing procedures, call the clerk.
- Discovery documents are not to be filed.
- Amended documents must be retyped entirely.
- Bulky pleadings should be Acco-fastened.
- Proposed orders, judgments, decrees, settlements and stipulations are to be submitted to the clerk.
- Information about individual cases will be given by telephone.
- Court retains closed cases for 10 years.
- Public Access terminals available in courthouse lobby



## **Ventura County Courts Interpreting Services**

### **Ventura County Superior and Municipal Courts**

#### **Legal Basis**

Court interpreters are provided in criminal court proceedings based on the 1974 amendment of Article 1 § 14 of the California Constitution, which states that a person charged with a crime, who is unable to understand English, has a right to an interpreter throughout the proceedings. (This does not apply to civil court proceedings.) The right to an interpreter is integral to other constitutional rights such as the right to due process, to confront witnesses, and to receive effective assistance of counsel.

#### **Role of the Interpreter**

The court interpreter interprets all court proceedings, giving an accurate and complete rendition from the source language into the target language. Court interpreters of Spanish, Sign, and some other languages must be certified by the State of California (Government Code § 68585) and must work under oath (Evidence Code § 751).

#### **Organization and Services**

All interpreting services to the Ventura County Superior and Municipal Courts were consolidated into a single unit in 1987. Interpreters are assigned to courtrooms by the managing court interpreter and the senior

court interpreter based on requests received from court personnel.

**All criminal court departments are served, as well as:**

- Small claims
- Mediation conferences
- Conservatorship hearings.

#### **Services are provided at the:**

- Ventura and Simi Valley Courthouses
- For legal hearings, Camarillo State Hospital, the Ventura County Mental Health Facility.

Services are provided to speakers of all foreign languages including sign language. Spanish language interpreters are provided on a daily basis and interpreters in other languages are assigned as needed. Sign language interpreters are also provided for jury service and for civil matters.

#### **Referral Services**

The office makes interpreter/translator lists available to attorneys, agencies, and the public. Information on how to obtain state certificates for court interpreters is also available through this office.

For more information, call: 805-654-2963





## **Ventura County Courts Traffic Citations**

### **Ventura County Superior and Municipal Courts**

#### **How to Pay Your Traffic Ticket:**

If you received a traffic citation, a courtesy notice will be mailed to you at the address on your citation within fourteen days. The courtesy notice tells you how to take care of your citation. You may pay the bail amount by mail, or you may use the court's 24-hour credit card payment system, by calling (805) 662-6620. Your credit card will be charged a convenience fee for the use of this system.

If you pay by mail please send a check or money order for the full amount due. Partial payments are not accepted nor do they stop collection proceedings from beginning. For your convenience, you may also use the AutoClerk Kiosk at the Centerpoint Mall (Oxnard), Buena Ventura Mall (Ventura), and The Oaks Mall (Thousand Oaks) during mall hours. You must contact the court if you have not received a courtesy notice within three weeks of receiving your citation, have changed your address, or the address on the citation is incorrect.

#### **Traffic Citation Information:**

##### Clearing Correctable Citations:

Proof of correction can be obtained by having an authorized representative of

the issuing agency fill out the Certificate of Correction located on the reverse side of your citation. Pollution Control Device violations must be certified by a smog check station licensed by the California Bureau of Automotive Repair. Lamp, brake and exhaust system violations may be certified by an authorized inspection and installation station for the specific violation. Registration and/or driver's license violations may be certified by a Department of Motor Vehicle (DMV) clerk. All registration violations must be corrected. Your courtesy notice will contain the correct amount of money you must pay along with your proof of corrections. If you have already sent your proof of correction to the clerk, you may pay the remaining balance owed in the envelope provided with your courtesy notice.

##### Extensions on Traffic Citations:

The clerks are authorized to grant one 28-day extension of your traffic citation. Should you require additional time, the clerk must obtain approval from the supervisor. For extensions beyond the authorized 28 days, you must appear in court and speak with the judge or commissioner in open court.







## **Ventura County Courts — Traffic Citations**



### Juvenile Misdemeanor Traffic Citations:

If your citation was marked "to be notified," you will receive a courtesy notice giving you a court date and time. A parent or guardian will be required to appear with you. Failure to appear could result in a hold placed on your driver's license. If a hold has been placed on your driver's record, this citation requires your appearance in court and you must bring one parent or guardian.

### **Traffic Appeals:**

In an appeal, a higher court reviews the order or judgment of a lower court. Any party may appeal from an unfavorable decision based upon whether there was enough evidence to support the judgment, or whether errors of law were committed during or before trial which harmed the appealing party.

There is no fee for filing an appeal on a traffic, criminal or juvenile case. Forms for a traffic appeal are available from the clerk's office. The clerk does not have forms for criminal or juvenile appeals.

On a decision of the Municipal Court, the notice of appeal must be filed within 30 days of the entry of judgment. On a decision of the Superior Court, the notice of appeal must be filed within 60 days of the entry of judgment. Permission to file late is rarely given. Filing of a notice of appeal does not stop enforcement of the judgment. You must still comply with all terms and conditions of the court order.

### **Parking Appeal:**

After receiving the final decision of the issuing or processing agency, you may contest that decision by filing a Notice of Appeal - Parking. This appeal must be

filed within 20 days after the mailing of the final decision of the issuing agency. Forms are available at the clerk's office. You must pay a \$25 filing fee to the court as outlined in Section 42030 of the California Vehicle Code. Checks are accepted.

### **Traffic Court Appearance and Trial Information:**

#### Walk-in Information:

Walk-in Traffic Court is held Monday through Friday, except holidays, at 1:30 p.m. only. You must check in with the clerk in Room 118 no later than 12:30 p.m., by the due date on your citation. You must appear in court if your courtesy notice indicates a MANDATORY APPEARANCE is required. This must be done by your due date. Night court is available on the second Thursday of each month. A reservation for night court is required. You may make a reservation for night court by calling (805) 662-6620.

#### Requesting a Traffic Court Trial by Mail or in Person (Ventura):

If you do not agree with the citation, you may enter a not guilty plea by mail or by appearing at the clerk's office. The violation must be an infraction that does not require a mandatory appearance. The court trial will be set within 30 to 45 days and will be on Mondays or Fridays at either 8:15 a.m. or 1:30 p.m. You or your attorney must be present in court on the date of trial. The officer who issued the citation will be present at the court trial. Before a trial date is set, the clerk's office must receive:

A "Written Not Guilty Plea" form signed by you or your attorney on your behalf; and the total amount of bail owed in your





## **Ventura County Courts — Traffic Citations**



case. This amount will appear on the plea form that is sent to you and is also contained in your courtesy notice. Please contact the clerk's office at (805) 662-6620 for forms.

### Requesting a Court Trial by Declaration (Written Statement) (Ventura):

If you wish to have your case considered on the basis of a written statement rather than a court appearance, the clerk's office must receive:

- a. "Request for Trial by Declaration" form signed by you.
- b. The total amount of bail owed on your case. This amount will appear on the declaration form and is also contained in your courtesy notice.
- c. The written declaration of the facts of the case. This area is on the reverse side of the Trial by Declaration form. Please contact the clerk's office at (805) 662-6620 to have a declaration form sent to you.

The officer who issued the citation will also be requested to submit a statement of the facts. You will be notified of the judge's decision by mail within 30 days. If you disagree with the decision of the court, you will be required to personally appear in court within 30 days of the date of the Notice of Decision, and you will be required to return to court at a later date for your trial.

### **Traffic Warrants and DMV Holds:**

To clear a traffic warrant or release a DMV hold, you can pay by cash, money order, personal check, cashier's check or credit card. You may pay this amount by calling (805) 662-6620 (available 24 hours

a day), or pay at any court location or DMV office.

If you live in Oxnard or Port Hueneme, a court clerk is located at the Oxnard Department of Motor Vehicles, 4050 Saviers Road, Oxnard, CA. You may pay, release the hold, and obtain your driver's license at that one location. The clerk is available 9:00 a.m. to 12:30 p.m. and 1:30 p.m. to 4:00 p.m. Monday through Friday.

### **Traffic School Information:**

#### **Eligibility:**

1. You may attend traffic school to dismiss a citation once every 18 months, from violation date to violation date.
2. If there are any correctable violations on your citation, these corrections must be received along with any fees before permission will be granted.
3. Your citation may not be for more than two moving violations that do not require a mandatory appearance, or no more than two moving violations plus a seat belt violation.
4. You must pay the fine plus a \$29.00 administrative fee. When the court receives the fees you will receive another notice granting you permission to attend traffic school and a date to complete it. You will be required to pay an additional fee to the school.
5. If you are eligible, send the courtesy notice as your request, with any corrections, and the traffic school fees, in the envelope provided.





## **Ventura County Courts — Traffic Citations**



6. If you are eligible and decide not to attend traffic school, your automobile insurance may be adversely affected.
7. If you have been denied traffic school and feel you are eligible, you must speak to a clerk.

### Certificates:

If you have attended traffic school, you must return the original traffic school certificate to the court by the completion date. If you do not have a validation form, you must speak to a clerk.

You may return these items by mail, or you may deposit them at one of our multimedia kiosks. These kiosks are located at the Buena Ventura Mall in Ventura, the Centerpoint Mall in Oxnard, or The Oaks Mall in Thousand Oaks.

### **Installment Bail Information:**

If you are requesting to make monthly payments without going to court, you must meet the following requirements:

- a. Your case must be a post and forfeit infraction or misdemeanor citation or a Section 40508a CVC warrant.
- b. You must pay a \$35 service charge, which must be paid with the first installment.
- c. Your minimum bail amount per month will be \$50.

### **Owner's Responsibility:**

If your citation is past due, a hold has been placed on the vehicle's registration at DMV. Failure to clear this citation could result in your inability to register your vehicle when the tags are due.

If the citation was mechanical in nature, issued to the driver, and your company wants to assume responsibility, please mail in the amount of the citation (as noted on the courtesy notice) and have the company send a request to assume responsibility on company letterhead stationery.



## **Ventura County Courts Teen Court**

### **Ventura County Superior and Municipal Courts**

#### **What Is Teen Court?**

The Ventura County Teen Court was established as a component of the Juvenile Justice System. The purpose of Teen Court is to direct minors who have not yet entered the Juvenile Justice System away from the formal court while holding them accountable for their actions before a jury of their peers.

Teen Court involves the creation of a "Teen jury system" which brings together juvenile offenders, parents, and peers in order to determine logical and natural consequences for the offenses.

The program is offered to give young people an opportunity to take responsibility for their actions, to provide restitution to the victims and the community, and to give the community an active role in reducing the likelihood of repeated delinquent acts.

#### **Why a Teen Court?**

Teen Court seeks to prevent repeated delinquent acts by providing young people with avenues for positive development and personal success. A young person's life unfolds in family, school, recreation, employment, and community. If given the opportunity for positive experiences in these areas, the chances of a young person behaving in a delinquent manner are considerably reduced. If presented with positive options, a young person is not likely

to choose a delinquent lifestyle. Given equal opportunities to solve their problems, most young people will become responsible, productive adults.

#### **How Does Teen Court Work?**

Teen Court is an early intervention program. It utilizes a combination of community resources in an effort to address delinquent behavior and to prevent its recurrence. It targets young people who are first-time offenders for a special type of "diversion" effort that is community- and peer-based.

Teen Court is also an educational program. It seeks to teach young people about their responsibilities under the law. It also seeks to teach offenders and students that laws benefit everyone. Since one of the consequences required of offender participants is to sit as jurors deciding the consequences of other peer offenders, it is anticipated that young people who so far have not seen themselves as part of the solution, but rather as those to whom things happen, will have the opportunity to gain a new and valuable perspective on where they fit into society.

Student participants will use the same factors that judges use to decide appropriate sentences to hold juvenile offenders accountable. Former offenders will learn to empathize with victims, with parents, and others who attempt to affect changes in young peoples' behavior.





**How Does a High School Student Become a Part of Teen Court?**

A student who participates as a member of Teen Court does so following a training period which includes completing eight hours of training conducted by a Superior Court Judge, the Corrections Services Agency, attorneys, and the Teen Court coordinator.

**Who May Participate?**

Any Ventura County high school student who completes the training and is willing to be involved for one or more semesters is eligible to participate.

**When Does Teen Court Meet?**

Teen Court meets twice a month after school at participating high schools.

**How Can I Get Involved or Find Out More About the Teen Court?**

You can apply to be a member of Teen Court by completing an application. Applications may be obtained from the high school counselors.

## **Speakers Bureau**

The Speakers Bureau was established to acquaint the general community with the various units, functions, and services provided by the Superior and Municipal Courts. Judges, administrators, managers, and staff are available to speak with community groups and organizations.

### **What Topics Are Addressed?**

*Appeals  
Civil & Small Claims  
Traffic Citations & Parking Appeals  
Family Law and Adoptions  
Jury Services  
Family Court Services  
Grand Jury Service  
Interpreting Services  
Collection of Fees and Fines  
Automation & Technology  
Children's Waiting Room  
Records Management  
Multi-Door Dispute Resolution Program  
East County Courthouse  
Juvenile Traffic*



### **To Schedule a Speaker...**

**For more information on how to schedule a speaker, contact:**

\_\_\_\_\_, Title

**415.123.4567**

## **Taking the Courthouse to the Schoolroom**

A Partnership Between Education and Justice



Ventura County Superior and Municipal Courts

### **Project Abstract**

The goal of the Courts' *Taking the Courthouse to the Schoolroom* project is to provide students with a pragmatic overview of the justice system.

The purpose of the project is to educate students at all grade levels about our justice system with a focus on courthouse operations. The experience and knowledge students and teachers gain from their participation will broaden formal instruction received in civics, history, constitutional law, or political science.

Five components are designed to target various grade levels. These components incorporate academic studies in the schoolroom and legal instruction to teachers. The activities provide fundamental exposure to courtroom action and other courthouse settings.

The courts' mission statement, *Our Courts Are Here for the People We Serve – Dignity, Respect, Excellence, Communication, Pride in All We Do*, expresses a philosophy toward

community outreach. This project emphasizes our mission statement with a strong partnership with educational institutions. Schools are a vital part of the community and are responsible for managing the minds of our children. The *Taking the Courthouse to the Schoolroom* program embraces the concepts of justice, education, and improved access to our courts.

### **Project Organization**

The Courts' Executive Officer, \_\_\_\_\_, is the project sponsor. Judges from the Superior and Municipal Courts who assist with public speaking and project activities are: Hon. \_\_\_\_\_, Hon. \_\_\_\_\_ and Hon. \_\_\_\_\_.

Project objectives are achieved with a team approach. The project is directed by \_\_\_\_\_. Five court division managers coordinate the five program components, which are offered throughout the school year.



## **Ventura County Courts — Taking the Courthouse to the Schoolroom**



Partnerships with local schools ensure program activities are compatible with educational goals. The Superintendent of Schools has endorsed the project and meetings are held with interested schools to make sure program activities adhere to classroom curriculums.

### **Project Timeline**

*Taking the Courthouse to the Schoolroom* was launched in May 1997 in conjunction with national Law Day.

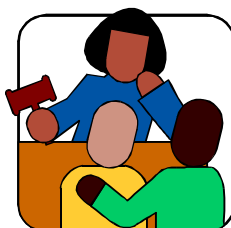
Throughout the school year, selected schools host various components and classroom activities.

The ultimate objective is to schedule classroom and courthouse activities year round as requested by the teachers to learn more.

Teachers, students and parents may contact the program coordinators at one of the following phone numbers, or visit the courts' web page at: [www.ventura.org/courts/vencrts.htm](http://www.ventura.org/courts/vencrts.htm).



## **Let's Visit the Courthouse**



### **A Student Guide to the Los Angeles Municipal Court**

#### **THE L.A. MUNICIPAL COURT IS YOUR COURT!**

The court is a very important part of your community. It belongs to every citizen. When somebody breaks the law in your community and is arrested, he or she goes to a criminal court to see the judge. The judge explains the law and how the law will affect the community and the person or parties involved. The court is also the place where people who have a disagreement can settle their conflict in a civil court.

When a person commits a crime and comes to a criminal court for the first time, he or she hears what the charges are and enters a plea of guilty or not guilty. If he pleads guilty he is sentenced or punished for the crime. If he pleads not guilty, he can ask for a trial where a judge or a jury will decide whether he is guilty or not.

The court is supervised by the presiding judge. The presiding judge is Judge \_\_\_\_\_. Judge \_\_\_\_\_ is responsible for assigning judges and commissioners to their courtrooms and distributing the work among them. She meets with other judges and administrators to discuss the business of the court and plan how the

court will operate most effectively. The assistant presiding judge is Judge \_\_\_\_\_. He handles the presiding judge's business when she is away, helps to run the court and also has his own job hearing cases in a courtroom.

#### **WHAT KINDS OF CASES ARE HANDLED IN THE MUNICIPAL COURT?**

Civil Case – When one person or business sues another for \$25,000 or less. After trial, the court tells one person or business to pay back the other person or business.

Small Claims Case – When a person sues another for \$50,000 or less. No lawyers are allowed, only the people involved in the case.

Criminal Case – When a person is accused of breaking the law and if he or she is convicted, the court tells the one found guilty to pay the fine or go to jail or both. The two major kinds of criminal cases are misdemeanors and felonies.





## Let's Visit the Courthouse



In a misdemeanor, the person who is accused, if convicted, can be sentenced to no more than a year in county jail and fined up to \$1,000. If the accused is convicted of a domestic violence offense, the fine is more than \$1,000.

Misdemeanors include shoplifting, vandalism and drunk driving.

In a felony, the person who is accused, if convicted, can be sentenced to death or imprisonment in the state prison.

Felonies include robbery, burglary or murder.

The main kinds of criminal Municipal Court proceedings are: Arraignments, Felony Preliminary Hearings and Trials.

Arraignment – When a person is brought before a judge to hear what crime he is accused of committing, told of his rights, has bail set and enters a plea.

Felony Preliminary Hearing – A Municipal Court judge hears the prosecutor's case to decide if the accused should go to the Superior Court for trial.

Trial – 1) In a criminal case, when the prosecutor tells the judge or jury why the defendant is guilty and the defendant's lawyer tells why the defendant is not guilty. 2) In a civil case, when the plaintiff's lawyer shows that the defendant is responsible for his damages and the defendant's lawyer denies responsibility. The judge or jury makes the decision in both kinds of trials.

### WHO'S WHO IN THE COURTROOM?

Judge – A public official, who is either elected by the people or appointed by the Governor to hear and decide cases in a court of law.

Commissioner – A bench officer who is appointed by the judges to help with the court's business. A commissioner handles most of the same kinds of cases that judges do.

Bailiff – A deputy sheriff who is responsible for the jury in a trial and security of the court. This includes the custody of the defendant in a criminal trial.

Court Reporter – The person who records the actual statements of all the participants in a trial.

Court Clerk – The person who keeps records for the court. They also swear in witnesses and keep exhibits safe.

Defense Attorney – A lawyer who defends someone accused of a crime or a person who is being sued.

Prosecuting or Plaintiff's Attorney – A lawyer who represents the people of the community in a criminal case or the person who is suing the defendant in a civil case.

Juror – A member of the public who is one of 12 people who decides if the person is guilty or not guilty in a criminal case or if the defendant owes the plaintiff anything in a civil case.

Witness – A person who gives a statement in court about what he or she saw, felt or heard in the case.

Defendant – The person charged with a crime. In a civil case it is the person who is being sued.

Interpreter – A person who translates English into other languages for witnesses and other people in court who do not speak English.





## Let's Visit the Courthouse



### WHERE IS THE L.A. MUNICIPAL COURT IN THE STRUCTURE OF THE CALIFORNIA COURT SYSTEM?

Supreme Court of California



Court of Appeals



Superior Courts



Municipal Courts

### WHAT ARE THE THREE BRANCHES OF GOVERNMENT?

#### Judicial Branch

*Interprets and applies laws*

The Courts

#### Executive Branch

*Signs laws and carries them out*

The Governor

State Departments

Law Enforcement

#### The Legislative Branch

*Writes and passes laws*

The State Senate

The State Assembly

### LOS ANGELES MUNICIPAL COURT

- Serves 3.5 million L.A. County residents.
- Covers 48% of Los Angeles County in a 544-square-mile area from San Fernando to Catalina.
- Began in February 1926 with 24 judges. Today the court has 114 judges and commissioners.
- Includes 11 courthouses, 1 traffic ticket-payment office and 122 courtrooms.
- Has an annual budget of \$87 million
- Collects over \$100 million in revenue each year.



## What I Should Know About Small Claims Los Angeles Municipal Court

*Front*

### 9. How do I collect my money?

A judgment is good for 10 years. If you do not receive payment on the judgment in the time specified by the judge, you have many options available to collect. Forms for these actions are available in the clerk's office and must be filed with the Court:

- If you know where the defendant works or banks, you can obtain a **Writ of Execution**. A writ is an order to the sheriff to collect the money from the defendant's paycheck or bank account. The fee for the issuance of a writ is \$14.00.

- Another collection option is an **Abstract of Judgment**. An abstract places a lien on any real property the defendant might own. The abstract is filed with the county clerk in the county where the property is located. The fee for issuance is \$14.00.

- If you do not know where the defendant works or banks, or if you do not know what assets the defendant has, you may calendar a **Judgment Debtor Hearing**. At the hearing, you will be allowed to question the defendant as to where he or she works and banks. You may ask the defendant about any vehicles, boats, real property, etc. that he owns. After obtaining this information, you may obtain a **Writ of Execution** from the clerk's office. Take the writ to the Sheriff's Office and the Sheriff will enforce the writ. The application fee for a judgment debtor hearing is \$14.00; proper notice must be personally served on the defendant. If the defendant fails to appear at the judgment debtor hearing, you may ask the judge to issue a warrant of arrest for the defendant.

### 10. What do I do if the defendant pays me the money?

If you receive payment before the trial date, you must file a **Request to Dismiss**. If you receive payment after judgment has been entered, you must file a **Satisfaction of Judgment**. Both of these forms are available at the clerk's office where you filed your claim. If you fail to file these documents showing the satisfaction of payment, the defendant may be able to sue you.

#### The Court Mission:

“The Los Angeles Municipal Court shall serve the public in a fair, accessible, accountable, efficient and independent manner.”

Small Claims

**What I  
Should  
Know  
About  
Small  
Claims**

Insert  
Court  
Seal



## What I Should Know About Small Claims (continued) Los Angeles Municipal Court

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### 1. What is Small Claims and what is the highest amount I can sue for?

Small Claims is a court where you can exercise your rights to resolve a dispute. Attorneys are not permitted to represent either plaintiffs or defendants (attorneys are allowed in Small Claims appeals). You do not have to be a United States citizen to file or defend a case in Small Claims Court, but you must be at least 18 years old. Your claims cannot be more than \$5,000 and you cannot file more than two cases over \$2,500 each calendar year. All other claims must be no more than \$2,500.

Examples of disputes that can be settled in Small Claims Court are:

- The dry cleaner ruins your garment and refuses to pay to replace it.
- Your former landlord will not return your security deposit.
- Someone dents your car and refuses to pay for it.

You may only sue for money for actual damages in small claims court. Night sessions are available at some locations.

### 2. Where do I file my claim and how much does it cost?

It is important to file your case in a proper court district. Depending on the reason you are suing, this can be where the dispute took place, where the person you are suing lives, where the firm you are suing does business or where an accident that led to the dispute took place.

The Clerk of the Court will ask you to pay a filing fee of \$15.00 when you file your claim. (If you file more than 12 claims in a calendar year, all other claims will be \$30.00 each.) It is possible to apply for a waiver of the fee if you cannot afford to pay. The fee waiver form is called **In Forma Pauperis (IFP form)** and is obtained in the clerk's office.

### 3. How do I notify the defendant?

Proper legal notice must be given to the person being sued. This is called *service of process*. After you file your suit, a copy of the **Plaintiff's Claim and Order to Defendant** must be served on the defendant. You cannot serve this order; only someone other than the plaintiff and who is over the age of 18 may serve the form. The defendant may be served in one of three ways:

- Service by a Law Enforcement Officer – You may request the Sheriff's Office to serve the notice. It will cost \$25 per defendant and they will make three attempts to serve the notice.
  - Personal or Substitute Service by anyone over the age of 18 who is not involved in the action.
  - Certified Mail, \$6.00. Only the Clerk of the Court can attempt service by certified mail.
- A proof of service form that states exactly when and where the defendant was served must be completed by the person who served the form. The proof of service form must be submitted to the court at least 5 days before the trial date.

### 4. If I am served with a Plaintiff's Claim and Order to Defendant, what should I do?

You must appear at the time and place set for the trial. If you do not appear in court at the proper time and date, you may lose the case by *default*. A judgment may be entered against you.

### 5. What if the plaintiff owes me money?

If you believe that the plaintiff owes you money as a result of the dispute, you can file a **Defendant's Claim and Order to Plaintiff** in the same Small Claims Court before the time of hearing. If you decide to file a small claims case against the plaintiff, the same rules and procedures apply.

### 6. How do I prepare for trial?

Bring the evidence of your claim or defense (any receipts, letters, invoices, cancelled checks or photographs) with you to court. To obtain certain documents or other evidence that you do not have, you can request a **Subpoena Duces Tecum**. This is a court order commanding a witness to bring

certain documents or records to the hearing. If you have a witness that can give testimony to help your case, make sure they know when and where your trial is set. You can give them a **subpoena**. This is a court order compelling the witness to appear and testify.

The Court does not provide interpreters for litigants. The Court will, however, provide an interpreter for hearing impaired persons. Litigants must notify the Court in advance if a sign-language interpreter will be needed.

The plaintiffs will present their case first. Witnesses may be called and exhibits offered. The defendants will then have an opportunity to respond and present their case.

### 7. What if I cannot attend on the trial date?

If you cannot attend the trial, immediately notify the other parties and the Small Claims Court in writing to try to arrange for a postponement. Either the plaintiff or defendant can submit one written request to reschedule the hearing date.

Requests must be made at least 7 days prior to the court date for a fee of \$10.00. If you do not show up for the trial and you have not made arrangements with the court to postpone it, the case may either be dismissed (if you are the plaintiff), or entered as a default judgment (if you are the defendant).

### 8. If I disagree with the judgment, can I appeal?

Only the defendant in a small claims case may file an appeal; however, the plaintiff may file an appeal on a counter claim (**Defendant's Claim and Order to Plaintiff**). The appeal must be filed in the clerk's office within 30 days after judgment or 10 days after the motion to vacate judgment was denied. The filing fee for an appeal is \$61.00. (The fee must be submitted in two separate checks: one made out to Superior Court for \$55.00, and the remainder made payable to the Los Angeles Municipal Court.) The appeal will be heard in the Superior Court.



## What I Should Know About Unlawful Detainers, Los Angeles Municipal Court

*Front*

### 9. What will happen if I lose the case? May I appeal the judgment?

If the landlord obtains judgment against you, you will have to move. The judgment may include the landlord's court costs and attorney fees plus any proven damages. You may appeal the judgment; however, an appeal does not automatically stay proceedings upon the judgment. To stay the execution of the judgment during the appeal process you must file a **Petition for Stay of Execution Pending Appeal**.

**Petition for Stay of Enforcement**—A petition for stay must first be directed to the judicial officer who hears your case. Petitions are not granted unless it can be shown that you will suffer **extreme hardship** in the absence of a stay, and that the stay will not cause a hardship to the landlord. If the judicial officer grants the petition, you will have to pay the "reasonable monthly rental value" to the court in advance as rent becomes due. The court also has the discretion to impose other conditions on the granting of the stay.

The court also has the discretion to restore a tenant to his/her former tenancy in cases of **extreme hardship**. You may petition the court to be restored to your tenancy by filing an **Application and Petition for Relief From Forfeiture**.

**Relief From Forfeiture of Lease**—Hardship is the only basis on which the court may relieve a tenant from forfeiture of a lease. If the petition is granted, you will be required to make full payment of all rent due and to fully perform any other conditions of the lease, if applicable. The court may also require you to pay the landlord's attorney fees and costs.

### 10. What if I do not appear for the trial?

If you fail to appear for the trial, the court may enter a default judgment in favor of the landlord. The landlord will obtain a writ of possession that will legally authorize the Sheriff to evict you from the property.

#### The Court Mission:

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Unlawful Detainer

**What I  
Should  
Know  
About  
Unlawful  
Detainers**

Insert  
Court  
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## What I Should Know About Unlawful Detainers (continued)

### Los Angeles Municipal Court

[Back](#)

#### 1. What is an unlawful detainer lawsuit?

An unlawful detainer lawsuit is a suit brought by a landlord to obtain possession of the rented property and receive payment of back rent. In order to legally evict a tenant, the landlord must file an unlawful detainer lawsuit.

#### 2. How do I respond to an unlawful detainer lawsuit?

If you are served with an unlawful detainer complaint, the complaint will show the court location where you should file your response. You have five days to respond in writing to the landlord's complaint. After you have filed your written answer to the landlord's complaint in the clerk's office and a memorandum to set trial is filed by the plaintiff, you will both be notified by mail of the time and place of trial. The clerk of the court will ask you to pay a filing fee of **\$84.00** when you file your written response. However, it is possible to obtain a waiver of the fee if you cannot afford to pay. A fee waiver form known as an **In Forma Pauperis**, or **IFP** application, can be obtained from the clerk's office.

#### 3. What is writ of possession/notice to vacate?

If the case goes to trial and the landlord wins the unlawful detainer lawsuit, the court will issue a judgment for possession. To enforce the judgment, the landlord will then obtain a **Writ of Possession** that directs the Sheriff to enforce the judgment for possession of the property. This legal document authorizes the Sheriff to physically remove and lock the tenant out of the property. The Sheriff's cost from the eviction will then be added to the judgment, which the landlord can collect from you.

The sheriff will serve you with a **Notice to Vacate** the property before enforcing the writ of possession. After you receive the notice, you have five days to move. If you fail to move within five days, the Sheriff will turn over the possession of the property to the landlord.

#### 4. What happens if I fail to respond to the unlawful detainer lawsuit?

The court may enter a default judgment in favor of the landlord and issue a **Writ of Possession** if you fail to respond after the fifth day. This default judgment allows the landlord to obtain possession of the property through a **Notice to Vacate** (see question #3).

#### 5. Do I have the right to a jury trial?

Both parties have the right to a jury trial. To request a jury trial, the requesting party must file a document entitled a **Memorandum to Set for Trial** at least **5 days prior to the scheduled trial date**. All appearing parties will be mailed a **Notice of Trial** informing them of the trial date. The party requesting a jury trial will be responsible for the initial **\$137.00** cost for jury fees. However, it is possible to obtain a waiver of the fees if you cannot afford to pay. A fee waiver form known as an **In Forma Pauperis**, or **IFP** application, can be obtained from the clerk's office.

#### 6. What if I have to change my trial date?

To change your trial date you need to either file a **Motion for Continuance** or a written stipulation (agreement by both parties) as soon as the need for a continuance is known. The judicial officer may grant a continuance without the motion or stipulation.

#### 7. What should I do to prepare for my court trial?

If you are not represented by an attorney, you can represent yourself. If you are representing yourself in a municipal court action, you can contact a legal aid society for advice; in San Fernando the telephone number is \_\_\_\_\_ and in Los Angeles \_\_\_\_\_; or the Unlawful Detainer Assistance Project of the Los Angeles County Bar Association at \_\_\_\_\_.

- Bring any letters, documents, photographs, inspection reports, or any other exhibits with you to trial.
- Have at least two copies of all documents: an original for the court and a copy for the opposing party.
- Witnesses that are necessary for your defense should be subpoenaed for appearance in court. Subpoenas must be served and filed with the court on or before your trial date. You cannot serve the subpoena, and the person(s) served must be given reasonable notice of the date and time of the trial. The cost to request each witness is \$35, plus \$.20 for mileage to and from the trial location. You may ask the court to waive the witness fees if you cannot afford to pay. A fee waiver form known as an **In Forma Pauperis**, or **IFP** application, can be obtained from the clerk's office.

#### 8. Will the court provide interpreters for unlawful detainer cases?

The court **DOES NOT** provide foreign language interpreters for unlawful detainer cases. If you do not speak and understand English, you should bring a friend or relative, or hire an interpreter. Individuals soliciting business in the hallways are not authorized to do so and are not employees of the court.

**Note: The court does provide interpreters for the hearing impaired (sign-language interpreters only).**



## Meet Your Los Angeles Superior Court Judges

*Front*

### The Executive Officer/Clerk

INSERT  
PICTURE

John A. Clarke  
Executive  
Officer/Clerk

Is responsible for the administrative supervision and control of all non-judicial activities of the Los Angeles Superior Court.

John A. Clarke is the executive officer/clerk and also serves as jury commissioner of the court.

#### You and the Superior Court

Many people count on the court for services and programs outside the courtroom. The following numbers may be helpful.

#### SERVICES

Jury Questionnaire or Summons Information.....1-800-SR-VJURY  
Marriage Licenses..... 526-462-2137  
Child Advocate's Office ... 213-526-6666  
Business Filings ..... 526-462-2177  
Filing Window ..... 213-974-5155  
Family Law Information/Family Court Services/Child Custody Evaluation .....213-974-5524  
Court Interpreter Services ..... 213-974-6708  
Wills ..... 213-974-5239  
Small Claims ..... 213-893-2392  
Other Information ..... 213-974-5411

**VOLUNTEER PROGRAMS**

Friends of the Child Advocates  
213-526-6666

Probate Visitation Program  
213-974-5142

Family Court Services/Mediation  
213-974-5531

Domestic Violence Prevention Program  
213-974-6568

Insert image  
of courthouse,  
gavel, several  
judges, etc.

### The Presiding Judge

INSERT PICTURE

The presiding judge is responsible for supervising the judicial administration of the court. The presiding judge speaks on behalf of the court and represents the court in its relationships with the state and county government and other superior and municipal courts throughout California. The presiding judge appoints supervising judges to preside over the district operations and specialized departments and is responsible for all judicial assignments.

The assistant presiding judge supervises the management of cases and the daily operation of the court system. The assistant presiding judge acts as presiding judge in the latter's absence and supervises the civil division of the Superior Court.

The judges of the court elect both the presiding judge and the assistant presiding judge to their respective positions. Each usually serves two one-year terms. The assistant presiding judge is normally elected to succeed the presiding judge when the latter's term is completed.

#### Who Can Become a Judge?

California law requires that all Superior Court judges be attorneys who have been admitted to the State Bar for at least 10 years.

Most judges are appointed to the bench by the governor, although some are initially elected in countywide non-partisan elections.

Newly appointed judges are required to run in the first judicial election held after their appointment. All judges serve six-year terms of office and run for re-election when their terms expire to retain office.

#### What Is a Commissioner?

Commissioners are attorneys who have been admitted to the State Bar for at least five years. They are elected by Superior Court judges to conduct court hearings and other matters. When all parties agree, commissioners may also serve as temporary judges.

## Meet Your Los Angeles Superior Court Judges





# Meet Your Los Angeles Superior Court Judges (continued)

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## Los Angeles Superior Court

Los Angeles Superior Court judges are among the nation's busiest, forming the backbone of the country's largest trial court of general jurisdiction. Divided into 12 districts, the Los Angeles Superior Court system includes 238 judges, 60 commissioners and 24 referees. Its courtrooms are spread throughout 4,000 square miles of Los Angeles County from Pomona to Santa Monica and from Lancaster to Catalina.

Los Angeles Superior Court sessions generally start at 8:30 a.m., half an hour earlier than the traditional 9:00 a.m. of most courts across the country, and frequently last until 4:30 p.m. or 5:00 p.m. In addition to hearing cases, Los Angeles Superior Court judges preside over settlement conferences, hearings, in-chamber meetings, and status conferences, as well as perform research and management duties.

Superior Court judges preside over the full range of legal disputes handled by the state courts in California. They include:

- Criminal Court – felony offenses punishable by death or imprisonment in state prison;
- Juvenile Court – cases involving dependent minors who have been abused or neglected; minors who are accused of crimes, infractions or incorrigible behavior, and adoptions;
- Family Law Court – cases involving child custody, conciliation and divorce
- Mental Health Court – cases involving determination and custody of mentally ill persons;

Probate Court – cases involving the estates of deceased persons, as well as the guardianship and conservatorship of estates for those unable to care for themselves;

Civil Court – cases involving all types of civil disputes with claims of damages of more than \$25,000, including personal injury, contract and business disputes, and condemnation of property through eminent domain proceedings;

Appellate Department – cases appealed from the municipal courts.

The Los Angeles Superior Court is a court of general jurisdiction. That is, the judges of this court hear all types of cases. Because of the size of Los Angeles County and the travel distances, there are 23 locations where Superior Court sessions are held. These courthouse locations are divided into 12 districts, 11 of which are considered to have "full service" courthouses. These districts are headquartered throughout the county so citizens can handle their business in a court close to their residence.

The County Courthouse in downtown Los Angeles is the court's administrative headquarters with the offices of the presiding judge, assistant presiding judge and the executive officer/clerk. It also houses the supervising judges of the Family Law, Probate and Appellate Departments of the court. Also in downtown is the Criminal Courts Building, which houses the supervising judge of the Criminal Division.

Each district court also has a supervising judge, assigned by the presiding judge to oversee the disposition of cases originating in that area or assigned to that location by the presiding judge.

Questions should be directed to the appropriate supervising judge. Their locations and assignments are as follows:

Presiding Judge: Robert W. Parkin  
 Assistant Presiding Judge:  
 Victor E. Chavez  
 Supervising Judge, Appellate:  
 Barbara Jean Johnson  
 Supervising Judge, Criminal:  
 John H. Reid  
 Supervising Judge, Family Law:  
 Paul Gutman  
 Supervising Judge, Mental Health:  
 Harold E. Shabo  
 Supervising Judge, Probate:  
 Gary Klausner  
 Juvenile Presiding Judge:  
 Michael Nash  
 Supervising Judge, Dependency:  
 Terry Friedman

**Civil Courthouse**  
 111 N. Hill St.  
 (213) 974-5247  
**Central Civil West**  
 600 S. Commonwealth Ave.  
 (213) 351-8718  
**Children's Court**  
 201 Centre Plaza Dr., Monterey Pk.  
 (213) 526-6300  
**Criminal Court Building**  
 210 W. Temple St.  
 (213) 974-5276  
**Mental Health**  
 1150 N. San Fernando Rd.  
 (213) 226-2908

Insert listing of all court locations, phone numbers, and supervising judges.

